G R S App F IX 4]

1942-

File No 120-42

Previous References

hl 35-34-73

(ML)

Serial Nos 111, 112, 120

Later References

CM 44-49-1

GENERAL AND REVENUE SECRETARIAT

Serial Nos Three

Part B for Jan 43

SUBJECT

License to M S Munuvenkatiah for a building on site No. 117/2 Kumbargundi Road

To,

The Huseb ult

In 6448 dt 2/43

issues certain instructions

Hus no. 1-42

1679/L

Subd. The Previous Petn
D/16-8-42 referred to in the
Petn has not been received
in the L&S Branch

The P.A to the Minister, L&S
& P.H may be kindly requested
to state when the Petn was
sent to this Branch etc.,

WB
26/9 GS

The petition Referred to in the application was not received in this Office

Le
29/9

G R I $ XI—12

Form of the Monthly Arrears Statement

Serial No	Official No and date	From whom received	Date of receipt in Secretariat
1	2	3	4

Explanation—Column 1 sho
Column 2 sho
The entries in
In Column 7 s
Cases when di
This statement
Every three m

3

G K ...ion Sheet. Fr

ROUTINE NOTES

[To be used only for notes, requisitions, etc , not intended for permanent record.]

Petn dt 8/9/42 from Sri
S Munivenkatappa
Sandharpalayappa Road
Beat 98 Shivajinagar
Ward praying for the grant
of a license for a building
on site No 117/2 Kumbarlimb
Road, Ward

6 Submitted for orders
CMB
29/9

7 A copy of this
petition may be sent to the
Assistant Surveyor for a
report within a week

Sd
31/10/42

Returned with a draft of proceedings
CMB
31/10
GS
31/10

Sd
31/10

*N B —should routine notes be written on small slips
if notes must be copied or slips pasted on this form*

WD 078—GPB—30 000—25-7-40

1679/L V-3184/L

To The Rnl Commr, Bezwada thro DOS
No L4538 Dt 3-11-42
Calls for a report within a week

From The Rnl Commr, Bezwada
No C2 Per 176/42 Dt 23-12-42
States the circumstances under which a license was refused to the Petitioner for a building

1) The report of the Rnl Commr is submitted for perusal & orders.

WKR 29/11 Noted 11) pl flag work the reply & papers

WKR 29/11 1-2) Attended to & noted 30/11/42

WKR 4/12 3) Sri G. Narasimhulu has petitioned to Govt that the Municipality of Bezwada may be directed to give him license for the construction of a building on his land situated on the Kanuru road, Bezwada, as he has paid the conversion fee therefor

4) The records now received show that the petitioner has been applying to the Municipality for a license to construct on his land from the year 1932. All along he was being

Secs A Dy 5/1 Dy

P.U.D.

informed that the license asked for cannot be granted as the land is proposed to be acquired for laying out civil lines, along with the lands this is land to be in accordance with the resolutions of the Municipal council dated 15th 3 41, 10 5th 1941 and 29 4th 1941 vide M.

J 9 11 11) The M.L. owner has requested that land comprised in 70 S. nos on either side of the Tumkur road, Kalasipalyam road & Lal Bagh road is proposed to be acquired for the formation of a layout, that a comprehensive layout has been prepared by the Govt Architect, that the appeal thereto is for consideration before the City Improvement Committee & that further action will have to be taken after it is finally sanctioned by the M.L. the S. nos in question as land to be included in the said layout and licenses to ~~cultivate the land~~ S. nos are not given to those who applied for it. The M.L. owner ~~has~~ sought instructions if any ~~portion~~ arrangement of prospective layout of any land at any future date, licenses would be issued by the City M. the tract, could be refused indefinitely. This is a point on which no general orders of Govt could be passed, as each

Re License to Mrs. Muniswamappa for a bungalow on No 117/2 Kumbaragudi Road -

Continuation Sheet MR File No / Current No 120 of CR-113 Page

Case will have to be dealt with on merits and the MC Court will have to be guided by the provisions of the Act

1) In this case, it is seen that there is a long delay of ten years in settling the matter - even after the concession fee was paid The period was long enough for the MCC to settle either way - to grant a license or to refuse it Since the question is said to be before the city Improvement Committee, the MC Court will be requested to have the matter disposed of very early to give the necessary relief to the applicant

1) For orders with regard to the interim orders dated 12.9.1942 (Flag A & B)

Law Dept 12/12/42

18) This is a hard case of great hardship The matter must be disposed of very early The Mun Commr may be requested to do the needful

Sec 3-12-42

Secy L SEPT 1942 GOVT OF MYSORE

OFFICE OF THE MINISTER FOR L S G & P H Date 5.12.42 No 4405

Secy 2-12

WD 0972—GPB—10 000—21-10-42

Draft reply Secy 16.12.42

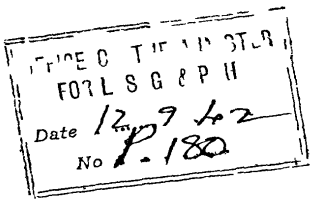
21 | Should write a draft letter for a B/C.
MLR 20/12/42 21/12

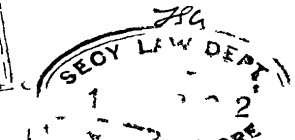
TYPING OFFICE 21 DEC 1942 GEN

20 | To The ML Comm. Bdgs, thro Dth
No L 6448 of 2-1-43
Requests him to do the needful in the matter very early

CS B 10/1 10/1

Continuation Sheet | File No / Current No | of | Page





To

H B. GUNDAPPA GOWDA, Esq , B A , B.L ,
Minister for Local Self-Government
and Public Health, BANGALORE

Respected Sir,

In continuation of my duly stamped petition dated 16th August 1942, I beg to bring the following few lines to your kind perusal and favourable orders

1 I applied for a license to construct a building on Site No 117/2, in Kumbaragundi Road, Bangalore City on 16-5-1932 to the Health Officer, Bangalore City

2 I received an endorsement No L P 2211, dated 7-6-1932 from the Municipality to the effect that the said lands were being proposed to be acquired and consequently the license cannot be granted.

3 Thereupon I petitioned on 1-7-1932 to the authorities stating that as per Government order No L 1878-9/M1 1-21-96, dated 4-9-1924, the lands belonging to me were not under acquisition and consequently that I had paid to the Revenue Authority the conversion fine of Rs 299/- at the rate of Rs 700/- per acre on 20-4-1932, that as there was very much delay in granting the license by the authorities I was put to a heavy loss to the extent of about Rs 1,000/- per annum which I used to get before in the shape of produce and so on and that if further delay were caused, the loss sustained till the date of granting the license would have to be made good by the Municipality

4 Since the year 1932, I have been petitioning to the authorities for the grant of license for which I received endorsements from time to time enquiring details after details of the said land which I was furnishing as soon as called for Finally the authorities were pleaced to issue an endorsement on 13-11-1941 refusing the grant of license stating that the land was proposed to be acquired by the Municipality

5 Even after the lapse of ten years the land is said to be still proposed for acquisition and that I have sustained a heavy loss of about Rs 10,000/- during this ten long years

6 Recently I submitted an application to the Municipal Commissioner on 6-1-1942, stating that whereas in many cases licenses for construction of buildings on Revenue lands which were of late recognised as building sites in the vicinity (after payment of conversion fine, etc ,) have been granted recently, my land for which conversion fine was paid 10 years ago was not granted with a building license

7. Great injustice has been done to me by the Municipality in not granting the license applied for 10 years ago and that I have been made to sustain a loss to the extent of about Rs 10,000/ all these years and that I pray that by way of granting a building license, justice may be meted out at your hands by calling for the records and on perusal of the correspondence enclosed with my previous appeal petition presented on 16-8-1942

For which act of kindness and benevolence, the petitioner will every remain grateful

Bangalore city
5th September 42

I beg to remain,
Respected Sir,
Your most obedient servant,
S Munivenkatappa
5/9/42

Address
S Munivenkatappa,
Sadarpathrappa Road,
No.98, Thigaler Pet,
Bangalore City

App F G 9]

GOVT OF H H THE MAHARAJA
OF MYSORE

GEN & REV SECRETARIAT

OFFICIAL MEMORANDUM

No 4538 dt 3/11/42 Govt

The accompanying Petition Registered
No 1679/42 dated 8/9/42
addressed to the Minister for H H
received at the General and Revenue
Secretariat from Mr S Munuswamy
Sadarpathrappa Road, 98,
Shigalaripet, Bgre,
praying for the grant of a
license for the construction
of a building on site no 117/2
Kumbarkunta Road, Bgre

is forwarded, ~~together with its enclosures~~
to the Municipal Commr, Bgre,
thro the Dist, for favour
of a report within a week

By Order,

for Secretary to Govt
Law Dept

BANGALORE,
19 31/12

[P T O

WD 0440—GPB—1 000—4 10 83

ಅರ್ಜಿದಾರ್ ತಾಲ್ಲೂಕು

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ಗ್ರಾಮದಲ್ಲಿರುವ

ಗೆ

ಇಂಡಾರ್ಸ್ ಹುಕುಂ

ವಿಷಯದಲ್ಲಿ ನೀವು ಗುಜರಾಯಿಸಿಕ್ಕೊಂಡ

ಮರುಕ್ಕಮಿನ ಅರ್ಜಿಯನ್ನು ಬಗ್ಗೆ

ರವರ ಬಳಿಗೆ ಕಳುಹಿಸಿದೆ

ಬೆಂಗಳೂರು

By Order,

Secretary

BANGALORE CITY MUNICIPALITY

No C2-Per 176/42
Encl 6 + 1 file

MUNICIPAL OFFICES
Bangalore 18th Nov , 1942

FROM

ABDUL AZIZ KHAN ESQ B A
MUNICIPAL COMMISSIONER
Bangalore City

To

C Narayanaswamy Naidu, Esq , B A , B L ,
SECRETARY TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE,
LAW DEPARTMENT, BANGALORE

"A"

With reference to your memo no L 4538/M1 dated 3-11-42 forwarding for report a copy of petition dated 8-11-1942 addressed to the Minister for Local Self Government and Public Health, by Mr S Munivenkatappa, Sadar Patrappa Road, 98, Thigalarpet, Bangalore City, regarding his application for construction of a building in S No.117/2, Kumbargundi Road, I have the honour to state as follows

It would appear that this petitioner applied to the Municipality to construct a building on S No 117/2 of Doddabylkhana village, on the old Kumbargundi Road To this he was informed in L P No 2211/7-6-1932 that as the land was proposed to be acquired, license could not be granted He seems to have further applied on 1-7-1932 that as he had already paid the special fine to convert the agricultural land to non-agricultural purposes and already collected the materials for the construction, the license may be granted

It is seen from the records that this particular S No was one of the properties to be acquired for widening the Kumbargundi Road and its acquisition was notified as per G O L 250-M1-35-5-4-72 dated 10-7-1935 At the time of passing the awards however, it was found that the acquisition of this property was not necessary for the completion of the scheme and so it was not acquired and the savings so affected was also proposed to be utilised by Government to acquire other properties as reported to Government (vide this Office letter No A2-970/35-36/21-1-1936) This was the position in 1936

The party again applied for license on 15-10-1941 On this the Municipal Engineer was of opinion that as the property was proposed to be acquired license need not be granted The Petitioner was informed accordingly on 10-10-1941

The party again applied for license on 9-1-1942, and he has also furnished a copy of the Endorsement No S F 21/30-31 issued by the Amildar, Bangalore Taluk permitting the area to be converted into non-agricultural purposes

Even on this application the Municipal Engineer has opined on 12-3-1942 that no reconsideration can be shown, as the said property comes under the proposed acquisition

It may be stated here that, the Municipal Council has been considering the question of acquiring all the Revenue lands within the City Municipal limits fit for acquisitipn In addition to this general resolution, there is a resolution of Mr V Venkataswamy Chetty moved on 10-5-1941, that "This Council resolves that steps be immediately taken to acquire, the revenue lands on either side of the Town Hall Road, Kalasipalyam Road, and Lalbagh Road, for purposes of opening a layout This has been approved and referred to the City Improvement Committee and in pursuance of this, a comprehensive layout plan prepared by the Government Architect has been received for the entire area lying on either side of the Jayachamaraja Wadiyar Road, between Kalasipalyam and Lalbagh Road The approval of the layout is now for consideration before the City Improvement Committee and after its approval it has to go before the Council for sanction

The area comprising this proposed layout includes about 70 S No The Municipal Council is not in favour of the issue of any licenses in this area as can be gathered by the Proceedings of the Council dated 29-4-1942

Hence, licenses to the petitioner and to others who had applied for license in the same area have not been issued

It is a matter for orders of Government whether, merely

merely on account of any prospective layout to be formed at any future date, licenses under Section 115 of the Mysore City Municipalities Act, could be refused indefinitely as in this instance.

I request the favour of early orders of Government thereon

The license papers relating to the petitioner are herewith submitted for favour of perusal and return

I have the honour to be,
Sir,
Your most obedient servant,

Forwarded with compliments

Hon Vice President

MUNICIPAL COMMISSIONER

KSM

Extract from Letter No A2-970/35-36 dated 27th January 1936 from the Municipal Commissioner, City Municipality, Bangalore, to the Chief Secretary to the Government of His Highness the Maharaja of Mysore, Bangalore, regarding the widening of the Kumbargundi Road Scheme.

X X X X

The acquisition of 67 properties comprised in the first stage was sanctioned by Government in their Order No L 247-9/Ml 35-34-71 dated 10th July 1935 at an estimated cost of Rs 72,263/- Out of this, only 63 properties have been acquired at a total cost of Rs 54,946/- The acquisition of the remaining 4 properties has been deferred for the present at it was found that the removal of these properties was not essential to the scheme This has resulted in a saving of Rs 17,317/- in the estimated cost of the first stage

The acquisition of 66 properties included in the second stage of the scheme was sanctioned by Government in their Order No L 1266-9/Ml 35-34-75 dated 15-8-1935 at an estimated cost of Rs 66,918/- Of this, 65 properties have been so far acquired at a total cost of Rs49,882/- Action has been deferred in respect of one property as it was found to be expensive This has resulted in a saving of Rs 17,036/- These savings are proposed to be utilised for the acquisition of properties involved in the third and fourth stages The number of properties involved in the third stage is 17 and the estimated cost is Rs 12,928/- and that the number of properties involved in the fourth stage is 24 and the

estimated cost as Rs 11,503/- the total cost of acquisition will thus be Rs 1,23,319/- as per actual award of the 1st and 2nd stages and estimated amount of 3rd and fourth stage of the scheme

X X X X

"Copy"

Municipal Commissioner

3211

Council Proceedings of the Bangalore City Municipal Council, dated 15th March 1948

Mr. B Subbiah to move -

"That this Council resolves that all the revenue lands in the City Municipal limits by the side of the Municipal roads be acquired as previously resolved by the Council and immediate action be taken for preparing a scheme in this connection"

Mr B Subbiah moved and Mr L S. Raju seconding the above moved an amendment that "this Council resolves that with a view to acquire all the revenue lands within the City Municipal limits by the side of Municipal roads fit for acquisition, immediate action be taken for preparing a scheme in this connection giving all necessary information and particulars within two - months

Mr B. Subbiah accepted this amendment

Then the proposition as amended was put to vote and passed

"Copy"

Municipal Commissioner

ksm

BANGALORE CITY MUNICIPALITY

Proceedings of the Meeting of Council dated 10-5-1941

Subject No 3 (2)

Mr V Venkataswami Chetty to move -

This Council resolves that steps be immediately taken to acquire the revenue lands on either side of the Town Hall Road, Kalasipalyam Road and Lalbagh Road for purposes of opening a lay-out and that in the meanwhile the gardens in the locality ~~xx~~ may be allowed the use of sewage water as was done hitherto

Vide typed copy enclosed

Sd/- W H Hanumanthappa
Hon President

"Copy"

for Municipal Commissioner

ksm

Council Proceedings of the Bangalore City Municipal Council, dated 10-5-1941

Ordinary Proposition No 3 (2)

Mr V Venkataswami Chetty moved the proposition and Mr B Subbiah seconded it

In moving the proposition Mr. V Venkataswami Chetty said that the area comprised of about 100 to 150 acres of land and all this area was being fed by the sewage water since a long time and as the water was now stopped the gardeners were - suffering heavy loss

Mr B Subbiah seconding the proposition said that there was a resolution of the Council that all revenue lands adjacant to the roads should be acquired and laid out into sites The lands mentioned in the proposition are being used by the - Thigalars for growing vegetables and they have committed themselves to supply vegetables to the Italian camp They have been using the sewage water for gardening purposes for the last 40 or 50 years He wanted that the water should be given to them for the purpose of gardening till the lands were acquired

Dr M Royan speaking next observed that the sewage water was a menace to the health of the citizens, as it was quite probable that typhoid baccili ~~xxxxxx~~ flourished in this water and that was the cause for Typhoid It was high time, he said, that this water was discontinued from being used for growing vegetables and the infection avoided Just for the sake of a few individuals the health of the entire City could not be risked He was therefore for the acquisition of the lands immediately

Mr A J Khaleel speaking next said that the people were enjoying the privilege for the last 30 or 40 years and just at a time when they had got into a contract for the supply of vegetables to the Italian Prisoners' Camp, the sewage should not have been stopped Then he went on to explain the economic condition of the Thigalars at large and he said that the -

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earnings of this community were so meagre and if they were deprived of the water before they were provided with lands and water facilities elsewhere, it would hit them hard He therefore said that the lands be acquired at once and till it is done, the water may be allowed to them

Mr L S Raju speaking next said that he also be sympathetic with the vegetable growers but the Sanitary condition of the City should not on that account be sacrificed He therefore proposed that the subject may be referred to the City Improvement Committee

Mr M A. Gopalaswamy Iyengar seconded it

Resolution - Approved and referred to the C I C

Sd/-- W H Hanumanthappa,
Hon. President

"Copy"

MUNICIPAL COMMISSIONER

ksm

24 14

Extract from the Proceedings of the City Municipal Council, Bangalore, dated 29th April 1942

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1. Mr. B Subbiah to move -

"This Council resolves that the license granted to Mr Mohamed Khan be withdrawn immediately, in view of the fact that the said land is intended for acquisition as per the Council Resolution dated 15-3-1942 "

Mr T Gangadharaswamy moved the proposition and Mr V K Govindarajulu Naidu seconded it

Mr H C Suryanarayana Rao moved an amendment as follows -

"This Council resolves that the license granted to Mr Mohamed Khan by the Commissioner is not proper as the Council had decided to acquire all the revenue lands within the Municipal Limits and the Health Officer and the Engineer had also given their opinion against the grant of the license and that the land of Mr Mohamed Khan be acquired by the Municipality"

This amendment was accepted by the mover and the seconder of the original proposition

Then, the amendmd proposition was put to vote and carried unanimously

"Copy"

Municipal Commissioner

ksm

15—

Appendix F G —1]

SUBJECT

Diary No of letter replied to

General and Revenue Secretariat

( )

the *194*

Date of issue 2-1-43

Signed by Mr GPRao

List of enclosures

Copied by

Examined by

Section ML

File No 120-42

Serial No 120

No L 6448

To Records

The ML Commr, Bclg thro' DO

Sir,

With reference to Concerned endorsement's letter No C2 Per 176/42 Dy 26th Nov 1942 re the grant of a license to one Mr S Munivenkatappa for the construction of a building on Site No 117/2 Kumbarguntte Road, Bclg, I am directed to state that Govt observe that this is a case of great hardship & that that the matter should be disposed of early & relief granted to the party I am therefore to request you to be so good

WD 04161—GPB—60 000—24 10 41

... us to do the needful in the matter. Very sorry
... records accompanied.

Thanking you

Yours sincerely

[illegible]
20/12

Pages 15